

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner:

Group:

Attorney Docket #.: 3437

In re:

Applicant(s): KRAENZLER, E., et al

Serial No.: 10/564,668

Filed: 01/13/2006

For: TOOL HOLDING DEVICE

**RENEWED REQUEST FOR STATUS UNDER 37 CFR 1.42,
37 CFR 1.47(a) AND 37 CFR 1.497(b)**

June 21, 2007

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Attention: Bryan Lin, PCT Legal Examiner
PCT Legal Office

Reference is made to the Decision on Petition dated April 30, 2007.

Applicant also refers to the subsequent telephone conference with the
Petition's Examiner.

With respect to the Petition for Status Under 37 CFR 1.42 applicant
wishes to note that in fact the declaration executed by the available inventors includes
the following statement on its first page:

"Each of us on our own behalf and on the behalf of the deceased inventor, Markus Heckmann, and his legal representative, Kersten Heckmann, residing at and whose postal address is Joh.-Seb.-Bach-Strasse 34, D-70771 Leinfelden-Echterdingen, Germany, a citizen of Germany."

Accordingly, it is believed that in fact the Declaration does satisfy the requirements of 37 CFR 1.42 and accordingly this section of the Petition should be found to be sufficient.

As to the Petition under 37 CFR 1.47(a), it is noted that the requisite \$200.00 Petition fee will be charged to Deposit Account No. 19-4675 and that the Petition states the last known address of the legal representative.

It is noted that the Petition adequately demonstrates that a bonafide attempt was made to present a copy of the application to Kersten Heckmann for signature. However, the Petition notes that applicant has failed to sufficiently illustrate that Kersten Heckmann refuses to sign. It has been noted that if Petitioner can establish that Kersten Heckmann resided at the delivery address at the time the correspondence was delivered, her failure to respond to the letter would constitute a constructive refusal to sign. Applicant now submits herewith a Federal Express receipt for a communication mailed to Kersten Heckmann with regard to another patent application in June, 2007. The document was mailed to Kersten Heckmann at her address of record in the Petition which indicates that as of June 2007 Kersten Heckmann was still residing at the address given on the document she signed on September 19, 2005 when she disclaimed the inheritance of her deceased husband.

Since Kersten Heckmann resided at the address of record in September 2005 and the same address in June 2007, it can reasonably be assumed that she also resided there on August 29, 2006. Accordingly, it is believed that this requirement has been met.

With regard to the Petition under 37 CFR 1.497(b) it is noted that the requisite processing fee will be charged to the deposit account of the undersigned 19-4675 and that the requisite statements signed by the inventors have been provided.

However, it has been noted that no written consent of the assignee appears. This was an oversight and the written consent of the assignee is now attached hereto.

In view of all of the foregoing, acceptance of the renewed Petition is now respectfully requested.

Respectfully submitted,
/ Michael J. Striker /

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MJS

From: TrackingUpdates@fedex.com
Sent: Monday, September 11, 2006 12:33 PM
To: striker@strikerlaw.com
Subject: FedEx Shipment 791545553397 Delivered

Our records indicate that the following shipment has been delivered:

Tracking number:	791545553397
Ship (P/U) date:	Sep 7, 2006
Delivery date:	Sep 11, 2006 10:54 AM
Sign for by:	.BURFEIND
Delivered to:	Receptionist/Front Desk
Service type:	FedEx International Priority
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	1.4 LB

Shipper Information
M JS
STRIKER STRIKER STENBY
103 EAST NECK RD
HUNTINGTON
NY
US
11743

Recipient Information
MRS. MARKUS HECKMANN
JOH.-SEB.-BACH-STR. 34
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5/7/2007

DECLARATION

Robert Bosch GmbH, a German Limited Liability Company, having offices in Stuttgart, Germany, herewith states the following through an authorized representative:

Robert Bosch GmbH is the owner by assignment of United States Patent Application Serial No. 10/564,668 as recorded at Reel and Frame 017475/0771 on January 12, 2006.

Robert Bosch GmbH herewith consents to the addition to the subject United States Patent Application Serial No. 10/564,668 of two individuals as follows:

Christof Hoelzl, an Austrian citizen residing at
Innhofe 5, A-6134 Vomp, Austria

and


Johann Huber, an Austrian citizen resident at
Wittberg 1, A-6233 Kramsach, Austria

I hereby declare that all statements made herein of my own knowledge are true and that all statements on information and belief are believed to be true; and further that those statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated:

19.04.2007

Robert Bosch GmbH


Authorized Signature

